



Hewlett-Packard Company  
11000 Wolfe Road  
mail stop 4059  
Cupertino, CA 95014-0691  
[www.hp.com](http://www.hp.com)

408.447.3013 Tel  
408.447-0854 Fax

To	Company	Telephone	Fax
Examiner Elias Desta	United States Patent and Trademark Office	571.272.2214	571.273.2214
From	Subject	Number of Pages (including this page)	Date
David A. Plettner	Terminal Disclaimer	3	2 June 2005

RE: U.S. Serial Number 10/617,491  
HP Docket Number 200300844-1  
Terminal Disclaimer

Dear Examiner Desta:

Per our conversation today, attached is a Terminal Disclaimer for the above-identified application.

Best Regards,

David A. Plettner  
Corporate Counsel  
attachment(s)

I certify that this correspondence is being facsimile transmitted to the Assistant Commissioner for Patents, Washington, D.C. 20231, on June 2, 2005.

By David A. Plettner Date: June 2, 2005

David A. Plettner

June 2, 2005

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, Colorado 80527-2400

## PATENT APPLICATION

ATTORNEY DOCKET NO. 200300844-1

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): John W Curry

Confirmation No.: 2840

Application No.: 10/617491

Examiner: DESTA, ELIAS

Filing Date: Jul 10, 2003

Group Art Unit: 2857

Title: Improved Diagnostic Monitor For Use With An Operating System And Methods Therefor

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER**  
**RESPONSIVE TO A PROVISIONAL DOUBLE PATENTING REJECTION**

Sir:

Petitioner, Hewlett-Packard Development Company, L.P. is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/376,436, filed on Feb. 27, 2003. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

For submissions on behalf of an organization (e.g., corporation), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**TERMINAL DISCLAIMER - PROVISIONAL**  
(continued)ATTORNEY DOCKET NO. 200300844-1

Please charge the required fee set forth in 37 CFR 1.20(d) of \$130.00 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

(Note: An attorney or agent of record must sign this document.)

( ) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.  
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OR

(X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number on (571) 273-2214 June 2, 2005

Number of pages: 3

Typed Name: David A. Plettner

Signature: 

Respectfully submitted,

John W. Curry

By 

David A. Plettner

Attorney/Agent for Applicant(s)

Reg. No. 36,241

Date: June 2, 2005

Telephone No.: (408) 447-3013